

**K&L|GATES**

Kirkpatrick & Lockhart Preston Gates Ellis LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222-2312  
T 412.355.6500  
F 412.355.6501

RECEIVED  
CENTRAL EX CENTERED

NOV 06 2007

**FAX**

---

Date • 11/6/2007

Pages • 54

Time • 9:47:57 AM

Transmit To • Anna Skibinsky, Examiner

Company/Firm • USPTO

Telephone No. • 571-272-0735

Fax No. • 571-273-8300

From • George D. Dickos

Phone • 412-355-6785

Lawyer ID. • 179

---

Client ID/Matter No. • 0240485 / 00132

---

**COMMENTS:**

From the desk of Allen C. Black, Ph.D.

Dear Ms. Skibinsky:

Attached are copies of the patent application and Proposed Points of Discussion for the Interview after Final scheduled for November 7, 2007 (3:00 p.m.).

Please let me know if you received these documents safely and if you have any questions:

Proposed Points of Discussion

Patent App.

Sent by: Debra Thompson

**IMPORTANT:** The materials transmitted by this facsimile are sent by a lawyer or his/her agent, and are considered confidential and are intended only for the use of the individual or entity named. If the addressee is a client, these materials may also be subject to applicable privileges. If the recipient of these materials is not the addressee, or the employee or agent responsible for the delivery of these materials to the addressee, please be aware that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us at 412-355-6785 (collect) and return the transmitted materials to us at the above address via the U.S. Postal Service. We will reimburse you any costs incurred in connection with this erroneous transmission and your return of these materials. Thank you. Please report problems with reception by calling 412-355-6785.

Legal Secretary  
Debra.thompson@klgates.com  
412-355-7451 (phone)  
412-355-6501 (fax)

Attorney Docket No. 070478  
Application No. 10/693,025

**Proposed Points of Discussion**

**Interview after Final**

**November 7, 2007 (3:00 p.m.)**

- 1) The claims have been amended to emphasize that the methods and composition provides high throughput, high sensitivity multiplex data using dual, triple or greater fluorochromes. Such a multiplex analysis of RNA expression profile is not suggested or described in any of the references.
- 2) Applicants wish to point out that the references cited do not provide an indication of unexpected results, which the inventors found, such as the vastly increased sensitivity (greater than 100 fold in some instances) and large multiplex capabilities (i.e., the ability to measure over 100 analytes in a single run).

Applicants respectfully request that the following claims be reviewed either for an allowance after-final or as a basis of an amendment for an RCE.

#1874367